



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Ch

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/171,921 10/29/98 WILLIAMS H 36-1288

NIXON & VANDERHYE
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON VA 22201-4714

LMC1/0713

EXAMINER

LANEAU, R

ART UNIT

PAPER NUMBER

2774

DATE MAILED: 07/13/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/171,921

Applicant(s)
Hillary Lyndsay Williams

Examiner
Ronald Laneau

Group Art Unit
2774



☒ Responsive to communication(s) filed on Oct 29, 1998

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-31 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-11 and 16-29 is/are rejected.

☒ Claim(s) 12-15, 30, and 31 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2774

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-31 recite the limitation "said position detection means". There is insufficient antecedent basis for this limitation in the claim.

3. The following rejections are made with Examiner's best understanding of scope of claims. Any amendment to overcome rejection under 35 U.S.C. 112 that changes Examiner's understanding of claim scope may necessitate citation of new art.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- PL 5. Claims ^{1-11, 16-31}~~1-31~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al (5,902,968).

Art Unit: 2774

As per claim 1, Sato et al teach a portable pen-shaped input which comprises a movement detection to produce an electrical output signal representative of such movement, a means for determining detected movement data defining a user's intention based on the initial inclination angle (see col. 5, lines 39-67 and col. 6, lines 1-44). Sato et al do not teach a processing means to provide a mode response selected from a multiplicity of stored possible modes but it would have been obvious to one of ordinary skill in the art to this particular element to Sato et al because it would be very suitable for inputting figures and characters, etc into a data processing.

As per claim 2, Sato et al teach a detection means which comprises at least one acceleration detection means responsive to movement of the computer to produce the output electrical signal as claimed (see figure 1, 2a).

As per claim 3, Sato et al teach a plurality of acceleration detection means to produce an electrical output signal representative to movement in respective directions (see figure 1, 2a-2c).

As per claim 4, Sato et al teach sensors which detect movement in the x and y directions as claimed.

As per claims 5 and 6, the movement detected by Sato et al's device is capable of generating alphanumeric or graphical data and said alphanumeric or graphical data is stored in a data store since using a computer as claimed.

As per claim 7, the pen-shaped input taught by Sato et al is connected to a processing device which receives the output of the alphanumeric or graphical data by the transmitting means.

Art Unit: 2774

As per claim 8, the computer processing means taught by Sato et al includes a display screen wherein one can modify the output of the detected movement data.

As per claims 9-11, it would have been obvious to one of ordinary skilled in the art to effect scrolling of displayed information based on detected movement data, to have a relative tilting movement which causes the display information stores as to one or other side of the current display, a rolling movement which causes the display information stored as above or below the current display information for the same reasons given in claim 1.

As per claims 16-22, the examiner's takes the Official notice that a portable device having a user's password, a sound input device, speech or other sound signals, a sound output in combination with a radio transceiver whereby cellular or radio telephony networks, radio transmission or infrared transmission means, transmission of coded signals including a message for display is well known in the art.

As per claims 23-29, it is also well known to have a processing means responsive to received encoded radio signals to activate a paging alert which comprises a tone, a operation of a vibrating means and that the portable computer houses in a casing shape to facilitate a user holding the computer as a writing stylus.

Art Unit: 2774

Allowable Subject Matter

6. Claims 12-15, 30 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

none of the references, either singularly or in combination, teaches or even suggests:

as per claims 12-14, a portable computer in which the processing means is responsive to detected movement data to determine a most likely orientation of the computer display means, the processing means causing the displayed information to be oriented accordingly.

as per claim 15, a portable computer including proximity detection means which provides signals indicative of the proximity of the computer display screen to a user's view, the processing means being further responsive to changes in relative proximity to increase or decrease the density of displayed information.

As per claims 30 and 31, a portable computer in which the casing includes angular shaping between a forward holding area adapted to rest in the user's fingers and rearward flattened area holding a display screen the shaping being such as to provide a natural viewing angle of the incorporated display screen while the casing is held as a writing stylus.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Challener et al (5,953,001), Metroka et al (5,754,645), Fujiwara (5,301,222), Taguchi et al (5,215,397).

Art Unit: 2774

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or:

(703) 305-308-6606, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Application/Control Number: 09/171,921

Page 7

Art Unit: 2774

Ronald Laneau

July 8, 2000

A handwritten signature in black ink, appearing to read 'R. Hjerpe', with a stylized, cursive script.

RICHARD A. HJERPE
SUPERVISORY PATENT EXAMINER
GROUP 2700